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1651 IFW

Atty. Dkt. No. 047711-0288

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Rajiv Shah et al.

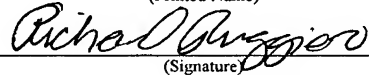
Title: METHOD FOR FORMULATING  
AND IMMOBILIZING A  
MATRIX PROTEIN AND A  
MATRIX PROTEIN FOR USE IN  
A SENSOR

Appl. No.: 10/033,723

Filing Date: 12/27/2001

Examiner: David M. Naff

Art Unit: 1651

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV444458745US	December 19, 2005
(Express Mail Label Number)	(Date of Deposit)
Richard Ruggiero	
(Printed Name)	
	
(Signature)	

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

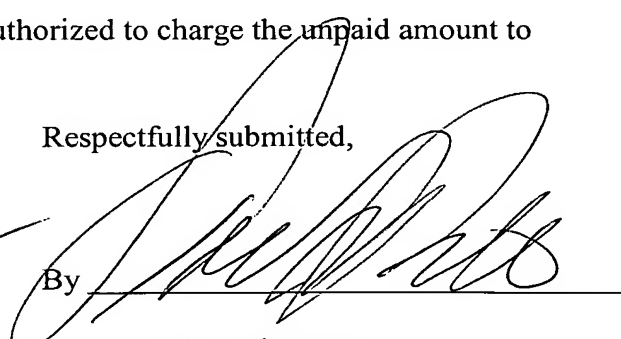
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

December 19, 2005

By



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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: December 19, 2005 (Use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number		10/033,723	
Filing Date		12/27/2001	
First Named Inventor		Rajiv Shah	
Group Art Unit		1651	
Examiner Name		David M. Naff	
Attorney Docket Number		047711-0288	
Sheet 1	of 1		

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,478,946		Van der Merwe et al.	10/23/1984	
	A2	4,486,408		Kiel et al.	12/04/1984	
	A3	4,876,324		Nakano et al.	10/24/1989	
	A4	5,270,446		Kyogoku et al.	12/14/1993	
	A5	6,051,389		Ahl et al.	04/18/2000	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A6	WO	97/19188		MiniMed, Inc.	05/29/1997		
	A7	WO	99/66964		Surgical Sealants, Inc.	12/29/1999		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A8	EP Search Report as issued in International Application Number 02763782.6-2402, Mailing date October 18, 2005.	
	A9	Elsevier Science B.V. 1996 (XP-002347586) – Analytica Chimica Acta (Glucose-sensitive ion-sensitive field-effect transistor-based biosensor with additional positively charged membrane Dynamic range extension and reduction of buffer concentration influence on the sensor response. (Pages 77-81)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajiv SHAH, et al                      Examiner: David M. Naff  
Serial No.: 10/033,723                      Group Art Unit: 1651  
Filed: December 27, 2001                      Docket: 047711/0288  
Title: METHOD FOR FORMULATING AND IMMOBILIZING A MATRIX PROTEIN AND A  
MATRIX PROTEIN FOR USE IN A SENSOR

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail (EV444458745US) with sufficient postage, in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, Alexandria VA 22313 on December 19, 2005

By: \_\_\_\_\_

*Richard Ruggiero*  
Richard Ruggiero

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal
- ☒ Form PTO/SB/08
- ☒ Cited References (8)
- ☒ Copy of European search report
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No 50-0872.

Date: December 19, 2005  
FOLEY & LARDNER LLP  
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1-310-277-2223 Office  
1-310-557-8475 Fax

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TRR/rsr